# MINNEAPOLIS CITY COUNCIL OFFICIAL PROCEEDINGS

#### REGULAR MEETING OF JULY 2, 2010

(Published July 10, 2010, in Finance and Commerce)

Council Chamber

350 South 5th Street

Minneapolis, Minnesota

July 2, 2010 - 9:30 a.m.

Council President Johnson in the Chair.

Present - Council Members Hofstede, Schiff, Tuthill, Quincy, Glidden, Goodman, Hodges, Samuels, Gordon, Reich, President Johnson.

Absent - Council Members Lilligren, Colvin Roy.

Schiff moved adoption of the agenda. Seconded.

Adopted upon a voice vote 7/2/2010.

Absent - Lilligren, Colvin Roy.

Schiff moved acceptance of the minutes of the regular meeting of June 18, 2010. Seconded.

Adopted upon a voice vote 7/2/2010.

Absent - Lilligren, Colvin Roy.

Schiff moved referral of petitions and communications and reports of the City officers to the proper Council committees and departments. Seconded.

Adopted upon a voice vote 7/2/2010.

Absent - Lilligren, Colvin Roy.

#### **PETITIONS AND COMMUNICATION**

#### **COMMITTEE OF THE WHOLE:**

ATTORNEY (274338)

**INTERGOVERNMENTAL RELATIONS** 

Redistricting: Report relating to 2012 redistricting process.

#### **COMMITTEE OF THE WHOLE (See Rep):**

CHARTER COMMISSION (274339)

**INTERGOVERNMENTAL RELATIONS** 

Proposed changes to the Minneapolis City Charter regarding elections timelines as affected by state statute and housekeeping corrections.

#### **COMMUNITY DEVELOPMENT:**

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (274340)

CPED State & Regional Redevelopment Grant Applications & Awards.

#### COMMUNITY DEVELOPMENT (See Rep):

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (274341)

Parcel E Line Remediation Agreements: Amendment of Environmental Remediation Escrow Agreement & Memorandum of Understanding with the City & Hennepin County Regional Rail Authority. Workforce Investment Act: Authorizing Mayor to sign PY 2010 Local Unified Plan.

Jerome Boxleitner Place Project (165 Glenwood Ave): Amendment to Redevelopment Contract between the City & CHDC Boxleitner LLC, extending closing date.

Parcel E Liner Development Request For Proposals: Authorize negotiation of redevelopment contract terms with American Academy of Neurology and grant exclusive development rights to Artspace Projects Inc.

#### COMMUNITY DEVELOPMENT and RE&E and W&M/Budget (See Rep):

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (274342)

Multi-Family Housing Energy Efficiency Revolving Loan Fund: Grant award from State Office of Energy Security for establishment of Fund.

#### COMMUNITY DEVELOPMENT and WAYS & MEANS/BUDGET (See Rep):

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (274343)

2010 Metropolitan Council Livable Commmunities Demonstration Account Grant Program: Authorize submission & priority ranking of grant applications.

Minneapolis Neighborhood Stabilization Program 2: Award of funds for development gap financing to community developers.

#### **ELECTIONS (See Rep):**

CITY CLERK (274344)

2010 Elections: Election Judge Appointments; and Absentee Ballot Board.

#### **PUBLIC SAFETY AND HEALTH:**

ATTORNEY (274345)

Restorative Justice: Report.

HEALTH AND FAMILY SUPPORT SERVICES (274346)

Statewide Health Improvement Program and Communities Putting Prevention to Work Project: Report.

#### PUBLIC SAFETY AND HEALTH (See Rep):

HEALTH AND FAMILY SUPPORT SERVICES (274347)

Minneapolis Advisory Committee on People with Disabilities: Approve appointments of Georgeanne Krause and James Farstad.

Senior Ombudsman Program: Execute internship agreements with St. Catherine University, University of Minnesota and Augsburg College for students enrolled in a Masters in Social Work Program to work with the Senior Ombudsman.

School Based Clinic Program: Amend lease agreement with Special School District #1, Minneapolis Public Schools, to reflect changes in space locations for school clinics.

Public Health Apprentices: Execute agreements with the Center for Disease Control and Prevention, when selected as an approved field placement site, to work on approved projects of public health interest for a two-year period.

#### PUBLIC SAFETY AND HEALTH and WAYS & MEANS/BUDGET (See Rep):

ATTORNEY/POLICE DEPARTMENT (274348)

Hennepin County Criminal Justice Coordinating Committee: Execute new agreement with Hennepin County for administrative expenses during the period February 1, 2010 through January 31, 2013.

HEALTH AND FAMILY SUPPORT SERVICES (274349)

Master Contracts for Health & Human Services: Authorize increase not to exceed amounts for select Master Contracts to finalize projects.

POLICE DEPARTMENT (274350)

Bomb Unit: Passage of Resolution authorizing acceptance of equipment for the Police Department Bomb Unit.

PURCHASING (274351)

Bid for Breathing Air Compressors and Fill Stations: OP #7285, accept low bid of Municipal Emergency Services to furnish and deliver air compressors, fill stations and related items.

REGULATORY SERVICES (274352)

Urban Area Security Initiative: Accept 2010 Homeland Security and Emergency Management Grant award, in the amount of \$30,000, to enhance Twin Cities regional preparedness; and Passage of Resolution approving appropriation.

#### REGULATORY, ENERGY AND ENVIRONMENT (See Rep):

COORDINATOR (274353)

Citizen Environmental Advisory Committee (CEAC): Approve Mayoral appointment of John Sylvester to fill the unexpired term of Jason Stone.

INTERGOVERNMENTAL RELATIONS (274354)

Local Approval of Special Laws: Approve Laws of Minnesota 2010 Legislative Session to issue an on-sale intoxicating liquor license to the Museum of Russian Art; and an on-sale intoxicating liquor license to St. Thomas University.

LICENSES AND CONSUMER SERVICES (274355)

Angry Catfish Bicycle (4208 28th Av S): Grant Sidewalk Cafe License.

Moose on Monroe (356 Monroe St NE): Application for On-Sale Liquor Class B with Sunday Sales License (expansion of premises) and Business Operating Conditions for the proposed bocce ball court area.

LICENSES AND CONSUMER SERVICES (274356)

Champps (100 6th St N): Approve License Settlement Conference recommendations relating to On-Sale Liquor Class B with Sunday Sales License.

Gangchen Restaurant (1833 Nicollet Av): Approve License Settlement Conference recommendations relating to Restaurant License.

Minnehaha Cafe (4554 Minnehaha Av): Approve License Settlement Conference recommendations relating to Restaurant License.

LICENSES AND CONSUMER SERVICES (274357)

Licenses: Applications.

#### REGULATORY, ENERGY AND ENVIRONMENT and WAYS & MEANS/BUDGET (See Rep):

PURCHASING (274358)

Bid for Securing Vacant and Open Buildings: Rescind Council action passed May 8, 2009 awarding low bid to Neighborserve, Inc; and Accept fifth lowest bid of Castrejon Inc to furnish and deliver all labor, materials, equipment and incidentals to secure vacant and open buildings on emergency basis until July 31, 2010.

#### TRANSPORTATION AND PUBLIC WORKS:

PUBLIC WORKS AND ENGINEERING (274359)

Banner Ordinance Amendment (Title 17, Chapter 449): Set public hearing.

Metropolitan Council Transportation Demand Management (TDM): Evaluation and implementation study.

Wireless Pole Installation: Status report.

XCELENERGY (274360)

Utility Pole Installation: a) 1900 11th Ave S; b) 2600 Park Ave S; and c) 1813 Chicago Ave.

#### TRANSPORTATION AND PUBLIC WORKS:

PUBLIC WORKS AND ENGINEERING (2743601.1)

Minneapolis Bicycle Advisory Committee: Reorganization.

#### TRANSPORTATION AND PUBLIC WORKS (See Rep):

PUBLIC WORKS AND ENGINEERING (274361)

Minneapolis-Hennepin Environmental Center: Property acquisition of 340 27th Ave NE.

Pedestrian Advisory Committee: Appointments.

Transportation Management Organization (TMO): Executive Committee appointments.

Transportation Management Organization (TMO): Honoring Executive Director Teresa Wernecke.

#### TRANSPORTATION AND PUBLIC WORKS and WAYS & MEANS/BUDGET (See Rep):

PUBLIC WORKS AND ENGINEERING (274362)

Broadway St NE (Stinson Blvd to Industrial Blvd) Street Resurfacing Project No 5197: Project approval and assessment public hearing.

Site Access Agreement: Consolidation of multi-location leases with Minnesota Pollution Control Agency.

Cedar Lake Trail Phase III: Final easements.

St. Anthony Pkwy Bridge over Northtown Rail Yard: State grant for design and land acquisition.

Streetcar Implementation: Application for funding alternatives analysis.

Minneapolis-Duluth/Superior Passenger Rail Alliance Board: Fees.

Bid: OP 7279, Low responsive bid of Rice Lake Construction Group for construction of hydraulic surge facility at Pump Station No 4.

Routine Maintenance Agreement between City and Department of Transportation: Response to staff directions (see Petn No 274322).

#### **WAYS AND MEANS BUDGET:**

FIRE DEPARTMENT (274363) 2010 Budget Status Report. POLICE DEPARTMENT (274364)

2010 Budget Status Report.

#### WAYS AND MEANS BUDGET (See Rep):

ATTORNEY (274365)

Legal Settlements: a) Mabruka Abdullahi; and b) Anthony James Ricci.

Lockridge, Grindal, Nauen, P.L.L.P.: Amend Master Legal Services Agreement.

COORDINATOR (274366)

2010 Charitable Campaign: Approve eight federations to participate.

HUMAN RESOURCES (274367)

Minneapolis Metropass Program: Amend and restate contract with Metropolitan Council, that the monthly program price be based on current cost of a Metropass times the actual number of participants:

and implement a \$5 per month increase in pre-tax contributions to \$65 per month (\$55 for MPEA-represented employees).

INTERGOVERNMENTAL RELATIONS (274368)

Local approval of Minnesota Laws authorizing the city of Minneapolis to use the excess revenue collected to support the Minneapolis Convention Center: Approve Laws of Minnesota 2009 Legislative Session; Chapter 88, Article 4, Section 12.

MINNEAPOLIS CONVENTION CENTER (274369)

Lund Martin Construction: Amend contract for labor, materials, equipment and incidentals necessary to complete the Grease Interceptor Replacement Project.

#### ZONING AND PLANNING (See Rep):

HERITAGE PRESERVATION COMMISSION (274370)

Appeal:

JNS Builders (2026 4th Ave S)

PLANNING COMMISSION/DEPARTMENT (274371)

Appeal:

North Loop Gateway (217-229 W Broadway)

#### FILED:

CHARTER COMMISSION (274372)

Redistricting Proposed Amendment Language: a) Charter Commission proposal; b) Charter Commission red-lined proposal; c) Common Cause short form; and d) Common Cause long form LICENSES AND CONSUMER SERVICES (274373)

Psycho Suzi's Motor Lounge: Business License Operating Conditions.

REGENT OF THE UNIVERSITY OF MINNESOTA (274374)

Vacate Beacon Street SE(formally 5th St) parts of Block 4, part of Lot 1, Block 5, Baker's Addition to St Anthony.

The following reports were signed by Mayor Rybak on July 6, 2010, unless noted otherwise. Minnesota Statutes, Section 331A.01, Subd 10, allows for summary publication of ordinances and resolutions in the official newspaper of the city.

#### REPORTS OF STANDING COMMITTEES

#### The COMMITTEE OF THE WHOLE submitted the following report:

**Comm of the Whole** - Your Committee, having under consideration a proposed ordinance amending Chapter 2 of the City Charter relating to *Officers - Elections*, regarding Elections timelines as affected by state statute and housekeeping corrections, and having conducted a public hearing thereon, now concurs in the recommendation of the Minneapolis Charter Commission that said ordinance be passed by the affirmative vote of all its members, pursuant to Minnesota Statutes, Section 410.12, Subd. 7.

Glidden moved that the report be postponed. Seconded.

Adopted upon a voice vote 7/2/2010.

#### The COMMUNITY DEVELOPMENT Committee submitted the following reports:

**Comm Dev** - Your Committee, having under consideration closure of Parcel E Liner Remediation Agreements with Hennepin County Regional Rail Authority (re parcel of land across from the Guthrie Theater bounded by future Chicago Ave and 9th Aves S between 2nd St S and Washington Ave S), now recommends that the proper City officers be authorized to amend the Environmental Remediation Escrow Agreement and the Memorandum of Understanding regarding Liner Parcel Environmental Remediation (both between the City of Minneapolis and Hennepin County Regional Rail Authority) to relieve the two parties of any remaining obligations.

Adopted 7/2/2010.

Absent - Lilligren, Colvin Roy.

**Comm Dev** - Your Committee recommends that the Mayor be authorized to sign the PY2010 Local Unified Plan for the Workforce Investment Act (WIA), for the period of 7/1/2010 to 6/30/2011.

Adopted 7/2/2010.

Absent - Lilligren, Colvin Roy.

**Comm Dev** - Your Committee, having under consideration the redevelopment of 165 Glenwood Ave, a/k/a J. Jerome Boxleitner Place Project, now recommends that the proper City officers be authorized to execute an amendment to that certain Redevelopment Contract by and between the City of Minneapolis and CHDC Boxleitner LLC regarding the redevelopment to extend the closing date to on or before December 31, 2010.

Adopted 7/2/2010.

Absent - Lilligren, Colvin Roy.

**Comm Dev** - Your Committee, having under consideration the Parcel E Liner Development Request For Proposals, for development of the parcel of land across from the Guthrie Theater along Chicago Ave S between 2nd St S and Washington Ave S, now recommends that the proper City officers be authorized to negotiate redevelopment contract terms with the American Academy of Neurology for the Chicago Ave frontage.

Your Committee further recommends granting of exclusive development rights to Artspace Projects Inc for a two-year term for the Washington Ave frontage.

Adopted 7/2/2010.

Absent - Lilligren, Colvin Roy.

# The COMMUNITY DEVELOPMENT, REGULATORY, ENERGY & ENVIRONMENT and WAYS & MEANS/BUDGET Committees submitted the following report:

**Comm Dev, RE&E & W&M/Budget** - Your Committee, having under consideration the Minneapolis Economic Recovery Strategy and the receipt of a grant award for the establishment of a Multi-Family Housing Energy Efficiency Revolving Loan Fund, now recommends:

- a) Approval of acceptance of the grant award of \$300,000 from the State Office of Energy Security (OES) to establish a Multi-Family Housing Energy Efficiency Revolving Loan Fund and that the proper City officers be authorized to enter into an agreement with 1) OES and to sign any necessary award documents; and 2) Metropolitan Consortium of Community Developers (MCCD) to provide loan servicing for the Multi-Family Housing Energy Efficiency Loan program and to sign all necessary loan servicing documents; and
- b) Passage of the accompanying resolutions 1) increasing the 2010 Department of Community Planning & Economic Development (CPED) operating budget revenue and appropriation by \$900,000 to reflect both the grant award of \$300,000 and the required OES leverage amount of \$600,000; and 2) delegating authority to the Executive Director of CPED to make and execute loan agreements and other appropriate loan documents consistent with the Multi-Family Housing Energy Efficiency Loan Program Guidelines.

Adopted 7/2/2010.

### RESOLUTION 2010R-312 By Goodman, Glidden and Hodges

#### Amending the 2010 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended as follows:

- a) Increasing the revenue source in the Department of Community Planning and Economic Development (CPED) Grants-Other Fund (01600-8900900-321513) by \$300,000;
  - b) Increasing the CPED Grants-Other Fund (01600-8900330) by \$300,000; and
- c) Increasing the CPED Economic Development Program Fund (01SED-8900330) by \$600,000 from available fund balance.

Adopted 7/2/2010.

Absent - Lilligren, Colvin Roy.

Resolution 2010R-313, delegating authority to make and execute loan agreements and other appropriate loan and grant documents consistent with the Multi-Family Housing Energy Efficiency Loan Program Guidelines, was adopted 7/2/2010 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

# RESOLUTION 2010R-313 By Goodman, Glidden and Hodges

Delegating authority to make and execute loan agreements and other appropriate loan and grant documents consistent with the Multi-Family Housing Energy Efficiency Loan Program Guidelines.

Resolved by The City Council of The City of Minneapolis:

Authority is delegated by the City Council to the Director of the Department of Community Planning and Economic Development (CPED) or his designee the Manager of Business Finance for CPED, to make and execute Loan Agreements and other appropriate Loan Documentation not to exceed the City Council authorized appropriation for the Multi-Family Housing Energy Efficiency Loan Program.

Adopted 7/2/2010.

Absent - Lilligren, Colvin Roy.

# The COMMUNITY DEVELOPMENT and WAYS & MEANS/BUDGET Committees submitted the following reports:

Comm Dev & W&M/Budget - Your Committee, having under consideration applications for grant funding from the 2010 Metropolitan Council Livable Communities Demonstration Account (LCDA), now recommends passage of the accompanying resolutions authorizing submission and priority ranking of grant applications, as follows and described in the Department of Community Planning & Economic Development staff report, and that the proper City officers be authorized to execute such agreements as may be necessary to implement the LCDA Grant Program:

#### **LCDA Grant Fund Applications:**

- 1. Hi-Lake Triangle, \$1,034,000
- 2. Boxleitner, \$284,000
- 3. East Bank Mills, \$220,000
- 4. Gateway IV, \$793,900
- 5. Minneapolis Public Housing Authority/Heritage Park, \$170,000

#### LCDA Predevelopment Grant Fund Applications:

1. Linden Yards East, \$100,000

Adopted 7/2/2010.

Absent - Lilligren, Colvin Roy.

Resolution 2010R-314, identifying the need for Livable Communities Demonstration Account funding and authorizing applications for grant funds, was adopted 7/2/2010 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

# RESOLUTION 2010R-314 By Goodman and Hodges

Identifying the need for Livable Communities Demonstration Account funding and authorizing applications for grant funds.

Whereas, the City of Minneapolis is a participant in the Livable Communities Act's Housing Incentives Program for 2010 as determined by the Metropolitan Council, and is therefore eligible to apply for Livable Communities Demonstration Account funds; and

Whereas, the City has identified proposed projects within the City that meet the Demonstration Account's purposes and criteria and are consistent with and promote the purposes of the Metropolitan Livable Communities Act and the policies of the Metropolitan Council's adopted metropolitan development guide; and

Whereas, the City has the institutional, managerial and financial capability to ensure adequate project administration; and

Whereas, the City certifies that it will comply with all applicable laws and regulations as stated in the grant agreements; and

Whereas, the City agrees to act as legal sponsor for the projects contained in the grant applications to be submitted by July 19, 2010; and

Whereas, the City acknowledges Livable Communities Demonstration Account grants are intended to fund projects or project components that can serve as models, examples or prototypes for development or redevelopment projects elsewhere in the region, and therefore represents that the proposed projects or key components of the proposed projects can be replicated in other metropolitanarea communities; and

Whereas, only a limited amount of grant funding is available through the Metropolitan Council's Livable Communities Demonstration Account during each funding cycle and the Metropolitan Council has determined it is appropriate to allocate those scarce grant funds only to eligible projects that would not occur without the availability of Demonstration Account grant funding; and

Whereas, cities may submit grant applications for up to six projects during each funding cycle for LCDA Development Grants and Pre-Development Grants combined, but, using the cities' own internal ranking processes, must rank their projects by priority so the Metropolitan Council may consider those priority rankings as it reviews applications and makes grant awards;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

that, after appropriate examination and consideration, the City Council of the City of Minneapolis:

- 1. Finds that it is in the best interests of the City's development goals and priorities for the proposed projects to occur at these particular sites at this particular time.
- 2. Finds that that the project components for which Livable Communities Demonstration Account funding is sought:
- (a) will not occur solely through private or other public investment within the reasonably foreseeable future; and
- (b) will not occur within two years after the grant award unless Livable Communities Demonstration Account funding is made available for these projects at this time.
- 3. Ranks the project funding applications, according to the City's own internal priorities, in the following order:

#### Priority Ranking/Project Name/Grant Amount Requested

(1)	Hi-Lake Triangle	\$1,034,000
(2)	Boxleitner	\$284,000
(3)	East Bank Mills	\$220,000
(4)	Gateway IV	\$793,900
(5)	MPHA/Heritage Park	\$177,000

4. Represents that the City has undertaken reasonable and good faith efforts to procure funding for the project components for which Livable Communities Demonstration Account funding is sought but was not able to find or secure from other sources funding that is necessary for project component completion within two years and states that this representation is based on the following reasons and supporting facts:

<u>Hi-Lake</u>: LCDA is a primary funding source for the transit-related improvements and other grant activities requested in the application.

<u>Boxleitner</u>: Funding already committed to the project (various public affordable housing sources) cannot typically be used for the infrastructure/site improvements described in the application.

<u>East Banks Mills</u>: Funding for demolition and site improvements will help catalyze the remaining project funds.

<u>Gateway IV</u>: Funding for acquisition and site improvements will help catalyze the remaining project funds. The remaining grant activities cannot typically be funded with traditional public affordable housing sources.

MPHA/Heritage Park: LCDA is a primary funding source for the street construction, as described in the application.

5. Authorizes its Director of Community Planning and Economic Development to submit on behalf of the City applications for Metropolitan Council Livable Communities Demonstration Account grant funds for the project components identified in the applications, and its Finance Officer or designee to execute such agreements as may be necessary to implement the projects on behalf of the City.

Adopted 7/2/2010.

Absent - Lilligren, Colvin Roy.

Resolution 2010R-315, identifying the need for Livable Communities Demonstration Account funding and authorizing an application for predevelopment grant funds, was adopted 7/2/2010 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

# RESOLUTION 2010R-315 By Goodman and Hodges

Identifying the need for Livable Communities Demonstration Account funding and authorizing an application for predevelopment grant funds.

Whereas, the City of Minneapolis is a participant in the Livable Communities Act's Housing Incentives Program for 2010 as determined by the Metropolitan Council, and is therefore eligible to apply for Livable Communities Demonstration Account funds; and

Whereas, the City has identified a proposed project within the City that meets the Demonstration Account's purposes and criteria and is consistent with and promotes the purposes of the Metropolitan Livable Communities Act and the policies of the Metropolitan Council's adopted metropolitan development guide; and

Whereas, the City has the institutional, managerial and financial capability to ensure adequate project administration; and

Whereas, the City certifies that it will comply with all applicable laws and regulations as stated in the grant agreement; and

Whereas, the City agrees to act as legal sponsor for the project contained in the grant application to be submitted by July 19, 2010; and

Whereas, the City acknowledges Livable Communities Demonstration Account Pre-Development grants are intended to fund activities that can prepare projects to apply for the LCDA Development Grant category; and

Whereas, only a limited amount of grant funding is available through the Metropolitan Council's Livable Communities Demonstration Account during each funding cycle and the Metropolitan Council has determined it is appropriate to allocate those scarce grant funds only to eligible projects that would not occur without the availability of Demonstration Account grant funding; and

Whereas, cities may submit grant applications for up to six projects during each funding cycle for LCDA Development Grants and Pre-Development Grants combined, but, using the cities' own internal ranking processes, must rank their projects by priority so the Metropolitan Council may consider those priority rankings as it reviews applications and makes grant awards;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That, after appropriate examination and consideration, the City Council of the City of Minneapolis:

- 1. Finds that it is in the best interest of the City's development goals and priorities for the proposed activities to be performed for this particular project area site, as identified in the application, and at this particular time.
- Finds that the project component(s) for which Livable Communities Demonstration Account funding is sought:
- (a) will not occur solely through private or other public investment within the reasonably foreseeable future; and
- (b) will not occur within two years after the grant award unless Livable Communities Demonstration Account funding is made available for this project at this time.
- 3. Represents that the City has undertaken reasonable and good faith efforts to procure funding for the project activities for which Livable Communities Demonstration Account funding is sought but was not able to find or secure from other sources funding that is necessary for completion of the activities within two years and states that this representation is based on the following reasons and supporting facts:

<u>Linden Yards East, requesting \$100,000</u>: Because the proposed development configuration is so unusual (likely unprecedented elsewhere in the country), there are no other identified funding sources for this feasibility analysis.

4. Authorizes its Director of Community Planning and Economic Development to submit on behalf of the City an application for Metropolitan Council Livable Communities Demonstration Account Pre-Development Grant funds for the project activities identified in the applications, and its Finance Officer or designee to execute such agreements as may be necessary to implement the project on behalf of the City.

Adopted 7/2/2010.

Absent - Lilligren, Colvin Roy.

**Comm Dev & W&M/Budget** - Your Committee, having under consideration Minneapolis Neighborhood Stabilization Program 2 (NSP2) Foreclosure Recovery Rehabilitation Program Request

for Proposals (RFP) for development of rental housing and Request for Qualifications for development of ownership housing, now recommends:

- a) Awarding of approximately \$3.7 million for development gap financing in the treatment of foreclosed and/or abandoned multifamily rental housing to three of four community developers that submitted proposals in response to the City's Foreclosure Recovery Rehabilitation Program RFP as outlined in the Department of Community Planning & Economic Development (CPED) staff report;
- b) Approving funding six of seven community developers that submitted qualifications in response to the City's Foreclosure Recovery Rehabilitation Program RFQ to be qualified to receive approximately \$5.6 million in financing on a first come-first serve basis for the treatment of foreclosed and/or abandoned single family housing;
- c) Providing non-NSP single family Home Ownership Works Program funding on a first-come first-serve basis to selected developers that indicated interest in these funds in response to the City's RFQ as outlined in this report;
- d) Authorizing the proper City officers to enter into related agreements with the selected qualified non-profit community developers; and
- e) Authorizing the CPED Director to make changes to the awards and funding, if necessitated by refinements made to NSP2 to meet HUD or programmatic requirements.

Adopted 7/2/2010.

Absent - Lilligren, Colvin Roy.

#### The ELECTIONS Committee submitted the following report:

**Elections -** Your Committee recommends approval of the appointment of election judges, and authorization for the use of substitutions from the eligible list of election judges as necessary, for the 131 precincts in the City for all elections in Year 2010, as set forth in Petn No 274344 on file in the office of the City Clerk, in accordance with Minnesota Statutes 204B.21, Subd. 2, and Chapter 2, Section 6, of the Charter of the City of Minneapolis.

Your Committee further recommends authorization for the use of an Absentee Ballot Board, and approval of the list of election judges to serve as said Board, for all elections in Year 2010, pursuant to Minnesota Statutes, Section 203B.13.

Adopted 7/2/2010.

Absent - Lilligren, Colvin Roy.

#### The PUBLIC SAFETY & HEALTH Committee submitted the following reports:

**PS&H** - Your Committee recommends concurrence with the recommendation of the Mayor and Council President to appoint the following persons to the Minneapolis Advisory Committee on People with Disabilities for two-year terms to expire December 31, 2011:

Georgeanne Krause, Ward 8

James Farstad, Ward 13.

Adopted 7/2/2010.

Absent - Lilligren, Colvin Roy.

**PS&H** - Your Committee recommends that the proper City officers be authorized to execute internship agreements with St. Catherine University, the University of Minnesota, and Augsburg College for the City to be a clinical practicum training site for students enrolled in a Masters in Social Work program to work with the Senior Ombudsman. Said agreements will be automatically renewed annually unless discontinued by either party.

Adopted 7/2/2010.

**PS&H** - Your Committee, having under consideration the School Based Clinic Program, now recommends that the proper City officers be authorized to amend a lease agreement with Special School District #1, Minneapolis Public Schools, to reflect changes in space locations for school clinics. Adopted 7/2/2010.

Absent - Lilligren, Colvin Roy.

**PS&H** - Your Committee recommends that the proper City officers be authorized to execute agreements with the Centers for Disease Control and Prevention (CDC) for the field placement of public health apprentices for two-year periods to work on approved projects of public health interest. Said agreements shall be effective when the Department of Health & Family Support is selected as an approved field placement site. The CDC will be the employer responsible for wages and benefits, and the Health Department will be required to provide quality local supervision, office space and support, assistance with incidental expenses, and a reasonable amount of staff development opportunities in a manner comparable to Department employees.

Adopted 7/2/2010.

Absent - Lilligren, Colvin Roy.

# The PUBLIC SAFETY & HEALTH and WAYS & MEANS/BUDGET Committees submitted the following reports:

**PS&H & W&M/Budget** - Your Committee recommends that the proper City officers be authorized to amend the following selected Master Contracts to increase the not to exceed amounts to finalize projects through contract termination on December 31, 2010:

Agency	Master Contract	Original Contract	Additional Funds	New Contract	
	Number	Amount	Added	NTE Cap	
American Indian Family Center	23107	250,000	200,000	450,000	
Centro Cultural Chicano	22787	250,000	100,000	350,000	
Domestic Abuse Project	22785	500,000	225,000	725,000	
Minneapolis Public Schools	22961	1,500,000	1,000,000	2,500,000	
Minnesota Visiting Nurse Agency	22795	7,000,000	1,600,000	8,600,000	
Pillsbury United Communities	22866	250,000	50,000	300,000	
University of Minnesota	23574	500,000	100,000	600,000	
A -l tl 7/0/0040					

Adopted 7/2/2010.

Absent - Lilligren, Colvin Roy.

**PS&H & W&M/Budget** - Your Committee recommends acceptance of low bid received on OP #7285 submitted by Municipal Emergency Services, in the amount of \$112,450.12, to furnish and deliver air compressors, fill stations and related items for the Fire Department, all in accordance with City specifications.

Adopted 7/2/2010.

Absent - Lilligren, Colvin Roy.

**PS&H & W&M/Budget** - Your Committee recommends passage of the accompanying resolution authorizing the acceptance of equipment for the Police Department Bomb Unit.

Adopted 7/2/2010.

#### RESOLUTION 2010R-316 By Samuels and Hodges

#### Authorizing the acceptance of equipment for the Police Department Bomb Unit.

Resolved by The City Council of The City of Minneapolis:

That the proper City officers be authorized to accept equipment purchased by the Minnesota Department of Homeland Security and Emergency Management, valued at \$17,500, to further the Bomb Squad's capabilities in defeating improvised explosive devices (IEDs) and vehicle-borne improvised explosives.

Adopted 7/2/2010.

Absent - Lilligren, Colvin Roy.

**PS&H & W&M/Budget** - Your Committee recommends that the proper City officers be authorized to execute a new agreement with the Hennepin County Criminal Justice Coordinating Committee (CJCC), for a total compensation not to exceed \$150,000 for administrative expenses for the period February 1, 2010 through January 31, 2013.

Adopted 7/2/2010.

Absent - Lilligren, Colvin Roy.

**PS&H & W&M/Budget** - Your Committee, having under consideration the Urban Area Security Initiative, now recommends that the proper City officers be authorized to accept the 2010 Homeland Security and Emergency Management Grant award, in the amount of \$30,000, to enhance Twin Cities regional preparedness by strengthening local response capabilities through planning, operations, equipment, training and exercises. Further, passage of the accompanying resolution appropriating \$30,000 to the Department of Regulatory Services.

Adopted 7/2/2010.

Absent - Lilligren, Colvin Roy.

# RESOLUTION 2010R-317 By Samuels and Hodges

#### Amending The 2010 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled Resolution, as amended, be further amended by increasing the appropriation for the Department of Regulatory Services Agency in the Grants – Federal Fund (01300-8352000) by \$30,000 and increasing the Revenue Source (01300-835200) by \$30,000.

Adopted 7/2/2010.

Absent - Lilligren, Colvin Roy.

# The REGULATORY, ENERGY & ENVIRONMENT Committee submitted the following reports:

**RE&E**-Your Committee, having under consideration the application of Angry Catfish Bicycle LLC, dba Angry Catfish Bicycle, 4208 28th Av S, for a Sidewalk Cafe License (new business) to expire April 1, 2011, and having held a public hearing thereon, now recommends that said license be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances.

Adopted 7/2/2010.

**RE&E**-Your Committee, having under consideration the application of Arthurs Riverfront Properties Inc, dba Moose on Monroe, 356 Monroe St NE, for an On-Sale Liquor Class B with Sunday Sales License (expansion of premises) to expire April 1, 2011, now recommends that said license and the accompanying license conditions be **sent forward without recommendation**:

Further, that the following operating conditions for the proposed bocce ball court area be **sent forward without recommendation**:

- a. There shall be no more than 20 patrons in the bocce ball court area at any one time. Patrons shall not be allowed in the bocce ball court after 10:00 p.m. on Sunday through Thursday. Patrons shall not be allowed in the bocce ball court after 11:00 p.m. on Friday and Saturday.
- b. Any new lighting installed on the premises shall be installed so that it does not direct light into the neighboring yards and only on to the premises of this establishment.
- c. Any fence that is installed on the premises shall meet all Zoning, Building and Fire regulations. Hofstede moved that the report be amended by deleting the language "be sent forward without recommendation" in the first paragraph and inserting in lieu thereof "be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances", and to approve the business operating conditions contained in the second paragraph. Seconded.

Adopted by unanimous consent. Absent - Lilligren, Colvin Roy.

The report, as amended, was adopted 7/2/2010.

Absent - Lilligren, Colvin Roy.

Approved by Mayor Rybak 7/6/2010.

(Published 7/7/2010)

**RE&E** - Your Committee, having under consideration the application of Poor Mans Paradise Inc, dba Psycho Suzi's Motor Lounge, 1900 Marshall St NE, for an On-Sale Liquor Class B with Sunday Sales License (new business) to expire October 1, 2010, now recommends that said license be **sent forward without recommendation**.

Hofstede moved that the report be amended by deleting the language "be sent forward without recommendation" and inserting in lieu thereof "be granted, subject to the following business license operating conditions:

- a. Psycho Suzi's shall follow a documented closing plan, for restaurant closing time and for emergencies, which has been approved by City staff. This document has been provided prior to signing these conditions. Any updates to this document shall be reported to Licenses & Consumer Services within one month of making updates. This condition will be reviewed by City staff in conjunction with the first annual license renewal review, and if this condition has been met, this condition will cease to be in effect upon renewal of the license.
- b. Litter shall be picked up by Psycho Suzi's on their lot and 100 feet from the property line of Psycho Suzi's including all adjacent public streets, sidewalks, and alleys as required by Minneapolis Code of Ordinances Section 360.95, but in addition such litter pickup shall be accomplished on a twice daily basis, once in the morning and once in the evening. This condition will be reviewed by City staff in conjunction with the first annual license renewal review, and if this condition has been met, this condition will cease to be in effect upon renewal of the license.
- c. Final inspection and compliance with all provisions of applicable codes and ordinances." Seconded.

Adopted by unanimous consent.

Absent - Lilligren, Colvin Roy.

The report, as amended, was adopted 7/2/2010.

Absent - Lilligren, Colvin Roy.

Approved by Mayor Rybak 7/6/2010.

(Published 7/7/2010)

**RE&E**-Your Committee recommends passage of the accompanying resolution granting applications for Liquor, Wine and Beer Licenses.

Adopted 7/2/2010.

Absent - Lilligren, Colvin Roy.

Resolution 2010R-318, granting applications for Liquor, Wine and Beer Licenses, was adopted 7/2/2010 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

#### RESOLUTION 2010R-318 By Glidden

#### Granting Liquor, Wine and Beer Licenses.

Resolved by The City Council of The City of Minneapolis:

That the following applications for liquor, wine and beer licenses be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances (Petn No 274357):

#### Off-Sale Liquor, to expire July 1, 2011

Sorella Wine & Spirits Inc, dba Sorella Wine & Spirits, 1010 Washington Av S

Sentyrz Falyce A, dba Sentyrz Liquor & Supermarket, 1612 2nd St NE, 1st floor

Broadway Liquor Outlet, dba Broadway Liquor Outlet, 2201 W Broadway

#### On-Sale Liquor Class A with Sunday Sales, to expire January 1, 2011

Prism Hospitality LP, dba Minneapolis Grand Hotel, 615 2nd Av S (new manager)

#### On-Sale Liquor Class A with Sunday Sales, to expire July 1, 2010

Hotel Minneapolis Operating Company, dba Hotel Minneapolis, 401 2nd Av S (new manager)

Hotel Minneapolis Operating Company, dba Hotel Minneapolis, 401 2nd Av S (new corporate officer)

Hotel Minneapolis Operating Company, dba Hotel Minneapolis, 401 2nd Av S (new shareholder/partner)

Hotel Minneapolis Operating Company, dba Hotel Minneapolis, 401 2nd Av S (permanent expansion of premises)

#### On-Sale Liquor Class A with Sunday Sales, to expire July 1, 2011

Stallions LL, dba Club New York, 10 S 5th St

Hotel Minneapolis Operating Company, dba Hotel Minneapolis, 401 2nd Av S

Minnesota Historical Society, dba Mill City Museum, 704 S 2nd St

900 Washington Hotel LLC, dba Aloft Hotel Minneapolis, 900 Washington Av S

Metropolitan Sports Facilities Commission, dba H H H Metrodome, 900 S 5th St

Pepito's, dba Pepito's, 4820 Chicago Av

#### On-Sale Liquor Class B with Sunday Sales, to expire June 27, 2010

Fourth Street Saloon Inc, dba Fourth Street Saloon Inc, 328 W Broadway (temporary expansion of premises June 26 & 27, 2010, Noon to 9:00 p.m.)

#### On-Sale Liquor Class B with Sunday Sales, to expire July 10, 2010

Fourth Street Saloon Inc, dba Fourth Street Saloon Inc, 328 W Broadway (temporary expansion of premises July 10, 2010)

#### On-Sale Liquor Class B with Sunday Sales, to expire September 4, 2010

Fourth Street Saloon Inc, dba Fourth Street Saloon Inc, 328 W Broadway (temporary expansion of premises September 4, 2010, Noon to Midnight)

#### On-Sale Liquor Class B with Sunday Sales, to expire April 1, 2011

Bartum's Inc, dba Lone Tree Bar & Grill, 528 Hennepin Av (amended business plan)

#### On-Sale Liquor Class B with Sunday Sales, to expire July 3, 2010

Joint/Caboose Operations LLC, dba Joint/Cabooze, 917 Cedar Av S (temporary expansion of premises July 3, 2010 until 10:30 p.m.)

#### On-Sale Liquor Class B with Sunday Sales, to expire August 9, 2010

Joint/Caboose Operations LLC, dba Joint/Cabooze, 917 Cedar Av S (temporary expansion of premises August 8 & 9, 2010, Noon to 10:30 p.m.)

#### On-Sale Liquor Class B with Sunday Sales, to expire July 1, 2011

Sam Ventures Inc, dba Imperial Room, 417 1st Av N, #100

Cedar Point Inc, dba Palmers Bar, 500 Cedar Av S

One Eyed Dog Ltd, dba Triple Rock, 629 Cedar Av S

Foshay Hotel LLC, dba W Minneapolis - The Foshay, 821 Marquette Av

Last Cowboy LLC, dba Bar Abilene, 1300 Lagoon Av

Ballentine VFW Post 246, dba Ballentine VFW Post 246, 2916 Lyndale Av S

#### On-Sale Liquor Class C-1 with Sunday Sales, to expire July 1, 2011

Kilimanjaro Cafe Inc, dba Kilimanjaro Cafe, 324 Cedar Av S

400 Bar, dba 400 Bar, 400 Cedar Av S

#### On-Sale Liquor Class C-2 with Sunday Sales, to expire January 1, 2011

Aster Pictures Corporation, dba Aster, 125 Main St SE (corporate stock purchase and upgrade from Class E with Sunday Sales)

#### On-Sale Liquor Class C-2 with Sunday Sales, to expire July 1, 2011

Hubert's Inc, dba Huberts Bar & Grill, 601 Chicago Av

Favor Catering Company, dba Favor Cafe, 913 W Lake St

Pier Group CMT LLC, dba Chiang Mai Thai Restaurant, 3001 Hennepin Av

#### On-Sale Liquor Class E with Sunday Sales, to expire April 1, 2011

Win-Vee Inc, dba Country Bar & Grill, 3006 Lyndale Av S

#### On-Sale Liquor Class E with Sunday Sales, to expire July 1, 2011

Darbar India Grill Inc, dba Darbar India Grill, 1221 W Lake St #105 (new business)

Starmac Inc, dba Champions Saloon & Eatery, 105 W Lake St

Michael Anthony Inc, dba Runyon's, 107 Washington Av N

Phoenix Catering Inc, dba Joseph Catering, 336 Hoover St NE

OM, dba OM, 401 1st Av N

Ramez Enterprises Inc, dba Arone's Bar, 500 Central Av NE

Cuzzy's Grill & Bar, dba Cuzzy's Grill & Bar, 507 Washington Av N

510 Groveland Assoc, Minnesota Cooperative, dba La Belle Vie, 510 Groveland Av

U Otter Stop Inn Inc, dba U Otter Stop Inn, 617 Central Av NE

Bar La Grassa LLC, dba Bar La Grassa, 800 Washington Av N #102

Buca (Minneapolis) Inc, dba Buca Di Beppo, 1204 Harmon PI #1

Amor & Jon Inc, dba Rinata, 2451 Hennepin Av

Hayden Trebnick LLC, dba Duplex, 2516 Hennepin Av

Tiger Sushi II LLC, dba Tiger Sushi, 2841 Lyndale Av S

Capital Runner LLC, dba Lyndale (The), 2937 Lyndale Av S

Club 46 Inc, dba Rachaels Club 46, 4601 Lyndale Av N

Al Vento Incorporated, dba Al Vento, 5001 34th Av S

#### On-Sale Wine Class E with Strong Beer, to expire April 1, 2011

True Thai Restaurant Ltd, dba True Thai Restaurant, 2627 E Franklin Av.

Adopted 7/2/2010.

Absent - Lilligren, Colvin Roy.

### **RE&E**-Your Committee recommends passage of the accompanying resolution granting applications for Business Licenses.

Glidden moved to amend the Licenses Petition on Page 49, #420, to postpone the application of Tyler J Avestini, dba 42nd Avenue Ballroom, 705 42nd Av N, for a Rental Hall License, to expire February 1, 2011. Seconded.

Adopted by unanimous consent.

Absent - Lilligren, Colvin Roy.

The report was adopted 7/2/2010.

Resolution 2010R-319, granting applications for Business Licenses, was adopted 7/2/2010 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

#### RESOLUTION 2010R-319 By Glidden

#### Granting applications for Business Licenses.

Resolved by The City Council of The City of Minneapolis:

That the following applications for business licenses (including provisional licenses) as per list on file and of record in the Office of the City Clerk under date of July 2, 2010 be granted, subject to final inspection and compliance with all provisions of the applicable codes and ordinances (Petn No 274357):

Dancing School; Laundry; Flower Cart Vender; Confectionery; Farm Produce Permits; Grocery; Food Manufacturer; Meat Market; Drive In Food; Restaurant; Short-Term Food Permit; Seasonal Short Term Food; Sidewalk Cafe; Vending Machine; Gasfitter Class A; Heating, Air Conditioning & Ventilating Class A; Motor Vehicle Dealer - Cycles & Motorbikes; Motor Vehicle Dealer - New & Used; Motor Vehicle Dealer - Additional Lot; Commercial Parking Lot Class A; Pet Shop; Pool Table; Precious Metal Dealer; Public Market; Recycling/Salvage Yard; Refrigeration Systems Installer; Rental Halls; Residential Specialty Contractor; Secondhand Goods Class B; Antique Dealer Class B; Sign Hanger; Solicitor - Company; Swimming Pool - Public; Tattooist/Body Piercer; Tattooist/Body Piercer Establishment; Taxicab Vehicle; Taxicab Vehicle Non-Transferable; Combined Trades.

Adopted 7/2/2010.

Absent - Lilligren, Colvin Roy.

 $\textbf{RE\&E-} Your Committee \, recommends \, passage \, of \, the \, accompanying \, resolution \, granting \, applications \, for \, Gambling \, Licenses.$ 

Adopted 7/2/2010.

Absent - Lilligren, Colvin Roy.

Resolution 2010R-320, granting applications for Gambling Licenses, was adopted 7/2/2010 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

#### RESOLUTION 2010R-320 By Glidden

#### Granting applications for Gambling Licenses.

Resolved by The City Council of The City of Minneapolis:

That the following applications for gambling licenses be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances (Petn No 274357):

#### Gambling Class B

Lions Club of Northeast Minneapolis, dba Lions Club of Northeast Minneapolis, 714 18 1/2 Av NE (Site: 22nd Avenue Station, 2121 University Av NE)

Lions Club of Northeast Minneapolis, dba Lions Club of Northeast Minneapolis, 714 18 1/2 Av NE (Site: Jimmy's Bar & Lounge, 1828 4th St NE)

#### **Gambling Exempt**

St. Bridgets Church, dba St. Bridgets Church, 3811 Emerson Av N (Bingo, Raffle, Pulltabs June 6, 2010, Sojourner Truth Academy, 3820 Emerson Av).

Adopted 7/2/2010.

Absent - Lilligren, Colvin Roy.

**RE&E**-Your Committee recommends passage of the accompanying resolution approving License Settlement Conference recommendations relating to the On-Sale Liquor Class B with Sunday Sales License held by Champps, 100 6th St N.

Adopted 7/2/2010.

Absent - Lilligren, Colvin Roy.

Resolution 2010R-321, approving License Settlement Conference recommendations relating to the On-Sale Liquor Class B with Sunday Sales License held by Champps, 100 6th St N, was adopted 7/2/2010 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

#### RESOLUTION 2010R-321 By Glidden

Approving License Settlement Conference recommendations relating to the On-Sale Liquor Class B with Sunday Sales License held by Champps, 100 6th St N.

Whereas, the Licenses & Consumer Services Division held a License Settlement Conference hearing on March 4, 2010 with the licensee; and

Whereas, the Regulatory, Energy & Environment Committee received Findings of Fact, Conclusions and Recommendations that concluded that on two separate occasions in a period of less than 24 months employees of Champps sold alcohol to persons under the age of 21, in violation of the Minneapolis Code of Ordinances, State Statutes, and the established compliance check policy and procedures of the City of Minneapolis; and

Whereas, the licensee has paid the \$500 administrative citation related to the first compliance check failure but has not yet paid the \$1,000 administrative citation relating to the second compliance check failure;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the following recommendations be adopted, as more fully set forth in said Findings on file in the Office of the City Clerk and made a part of this report by reference:

- 1. Champps will submit to the City of Minneapolis Licenses Division a written policy regarding alcohol service at the time of signing the agreement. The policy shall address the following issues:
  - a. carding policy to ensure alcohol is not served to patrons under the age of 21.
- b. conducting their own youth alcohol compliance checks on a quarterly basis for a period of two years and keeping a record of the results.
- c. stating the rewards/consequences for those employees passing/failing youth alcohol compliance checks.
  - d. addressing alcohol service at regularly scheduled staff meetings.
- e. requiring all staff serving liquor to attend professional alcohol server training within 30 days of hire and annually thereafter.
  - 2. Champps agrees that a trained manager will be present at all times of alcohol sales.
- 3. Champps agrees to prominently post signs in the restaurant or in the menu outlining their carding policy.

4. Champps agrees to pay a \$3,000 sanction in lieu of suspension for failing a second youth alcohol compliance check. \$1,000 of the sanction is stayed pending no further youth alcohol compliance check failures for a period of two years from the signing of this agreement.

Adopted 7/2/2010.

Absent - Lilligren, Colvin Roy.

**RE&E**-Your Committee recommends passage of the accompanying resolution approving License Settlement Conference recommendations relating to the Restaurant License held by Gangchen Restaurant, 1833 Nicollet Av.

Adopted 7/2/2010.

Absent - Lilligren, Colvin Roy.

Resolution 2010R-322, approving License Settlement Conference recommendations relating to the Restaurant License held by Gangchen Restaurant, 1833 Nicollet Av, was adopted 7/2/2010 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

#### RESOLUTION 2010R-322 By Glidden

Approving License Settlement Conference recommendations relating to the Restaurant License held by Gangchen Restaurant, 1833 Nicollet Av.

Whereas, the Licenses & Consumer Services Division held a License Settlement Conference hearing with the licensee;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That based on the evidence presented at the hearing, the following recommendations be adopted, as more fully set forth in said Findings on file in the Office of the City Clerk and made a part of this report by reference:

- 1. The City of Minneapolis Licensing Division impose a sanction of \$3,000 of which \$1,500 will be stayed for a period of two years upon the condition that there be no similar or same violations and that this sanction be paid when the document is signed.
- 2. That Lama Rinpo, Rabka Rabka and Nyima Choedak perform at least four self checks for youth compliance annually for two years, and that they document these self checks and provide the documentation to Licensing.
- 3. That all current service staff undergo alcohol server training from a Department approved trainer within 30 days of this agreement, and that all new service staff undergo alcohol server training prior to serving alcohol.
- 4. That Lama Rinpo, Rabka Rabka, and Nyima Choedak purchase and deploy one device with which to automatically scan drivers licenses and other identification cards for the purpose of determining customers age and eligibility to purchase alcohol, and that such device be deployed with 30 days of this agreement.
- 5. That Lama Rinpo, Rabka Rabka, and Nyima Choedak within 30 days of the date of agreement shall provide the Department of Licenses & Consumer Services a written policy regarding the elimination of alcohol service to minors in their establishments, that such policy include the use of the identity scanner, that the policy be approved by the Department of Licenses & Consumer Services, and that Lama Rinpo, Rabka Rabka, and Nyima Choedak implement and maintain this policy.
- 6. That Lama Rinpo, Rabka Rabka, and Nyima Choedak display signs throughout their establishment which inform customers of their policy toward checking identification.
- 7. That Lama Rinpo, Rabka Rabka, and Nyima Choedak have themselves or a trained manager on the premises at all times.

8. "Date of Agreement" shall be defined as the date that the licensee signs or otherwise executes this Agreement.

Adopted 7/2/2010.

Absent - Lilligren, Colvin Roy.

**RE&E**-Your Committee recommends passage of the accompanying resolution approving License Settlement Conference recommendations relating to the Restaurant License held by Minnehaha Cafe, 4554 Minnehaha Av.

Adopted 7/2/2010.

Absent - Lilligren, Colvin Roy.

Resolution 2010R-323, approving License Settlement Conference recommendations relating to the Restaurant License held by Minnehaha Cafe, 4554 Minnehaha Av, was adopted 7/2/2010 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

#### RESOLUTION 2010R-323 By Glidden

Approving License Settlement Conference recommendations relating to the Restaurant License held by Minnehaha Cafe, 4554 Minnehaha Av.

Whereas, the Licenses & Consumer Services Division held a License Settlement Conference hearing on June 2, 2010 with the licensee; and

Whereas, the Regulatory, Energy & Environment Committee received Findings of Fact, Conclusions and Recommendations that concluded that Minnehaha Cafe failed to timely pay Pollution Control Annual Billing and false alarm fees, in violation of the Minneapolis Code of Ordinances;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the following recommendations be adopted, as more fully set forth in said Findings on file in the Office of the City Clerk and made a part of this report by reference:

- 1. The Environmental Pollution Control Annual Billing, in the amount of \$658, shall be resolved as follows:
  - a. Late fees have been reduced to \$111.
- b. The amount of \$440 in unpaid Pollution Control Annual Billing be paid on a payment schedule. \$220 shall be paid on or before July 1, 2010. The final payment of \$220 shall be paid on or before October 1, 2010.
  - 2. False alarm fees, in the amount of \$60, have been paid.

Adopted 7/2/2010.

Absent - Lilligren, Colvin Roy.

**RE&E** – Your Committee recommends concurrence with the recommendation of the Mayor to appoint John Sylvester, as a citizen representative, to the Citizen Environmental Advisory Committee to fill the unexpired term of Jason Stone for a

two-year term to expire December 31, 2010.

Adopted 7/2/2010.

Absent - Lilligren, Colvin Roy.

**RE&E**-Your Committee recommends passage of the accompanying resolution approving Laws of Minnesota 2010 Legislative Session, Chapter 255, Article 1, Section 2 to issue an on-sale intoxicating liquor license to the Museum of Russian Art.

Adopted 7/2/2010.

Resolution 2010R-324, approving Laws of Minnesota 2010 Legislative Session, Chapter 255, Article 1, Section 2 to issue an on-sale intoxicating liquor license to the Museum of Russian Art, was adopted 7/2/2010 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

#### RESOLUTION 2010R-324 By Glidden

Approving Laws of Minnesota 2010 Legislative Session, Chapter 255, Article 1, Section 2 to issue an on-sale intoxicating liquor license to the Museum of Russian Art.

Whereas, the Minnesota State Legislature has passed a law authorizing the City of Minneapolis to issue an on-sale intoxicating liquor license to the Museum of Russian Art; and

Whereas, the license authorizes sales by the Museum of Russian Art's concessionaire or operator for a restaurant and catering operator on the premises of the Museum of Russian Art; and

Whereas, said legislation, by its terms requires an affirmative vote of a majority of the members of the City Council by the first day of the next regular session of the legislature before it may become effective; and

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That said law be now approved, and the City Clerk be directed to prepare and file with the Secretary of State the required certification of approval.

Adopted 7/2/2010.

Absent - Lilligren, Colvin Roy.

**RE&E**-Your Committee recommends passage of the accompanying resolution approving Laws of Minnesota 2010 Legislative Session, Chapter 255, Article 1, Section 9 to issue an on-sale intoxicating liquor license to St. Thomas University.

Adopted 7/2/2010.

Absent - Lilligren, Colvin Roy.

Resolution 2010R-325, approving Laws of Minnesota 2010 Legislative Session, Chapter 255, Article 1, Section 9 to issue an on-sale intoxicating liquor license to St. Thomas University, was adopted 7/2/2010 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

#### RESOLUTION 2010R-325 By Glidden

Approving Laws of Minnesota 2010 Legislative Session, Chapter 255, Article 1, Section 9 to issue an on-sale intoxicating liquor license to St. Thomas University.

Whereas, the Minnesota State Legislature has passed a law authorizing the City of Minneapolis to issue an on-sale intoxicating liquor license to St. Thomas University for catering on the premises of the Minneapolis campus of St. Thomas University, or for any portion of the premises as described in the approved license application; and

Whereas, a license authorized by this section may be issued for space that is not compact and contiguous, provided that all the space is within the boundaries of the Minneapolis campus of St. Thomas University and is included in the description of the licensed premises on the approved license application; and

Whereas, the license authorizes sales on all days of the week to persons attending events at the college, subject to the hours and days of sale restrictions in Minnesota Statutes, section 340A.504, and any reasonable license conditions or restrictions imposed by the licensing authority; and

Whereas, said legislation, by its terms requires an affirmative vote of a majority of the members of the City Council by the first day of the next regular session of the legislature before it may become effective:

Now, Therefore, Be It Resolved by The City Council of the City of Minneapolis:

That said law be now approved, and the City Clerk be directed to prepare and file with the Secretary of State the required certification of approval.

Adopted 7/2/2010.

Absent - Lilligren, Colvin Roy.

# The REGULATORY, ENERGY & ENVIRONMENT and WAYS & MEANS/BUDGET Committees submitted the following report:

**RE&E & W&M/Budget** - Your Committee, having under consideration OP #7089 for the securing of vacant and open buildings (emergency), now recommends the following:

- a. That Council action passed May 8, 2009 awarding the low bid to Neighborserve, Inc, be rescinded.
- b. Acceptance of the fifth lowest bid submitted by Castrejon Inc, for an estimated annual expenditure of \$400,000, to furnish and deliver all labor, materials, equipment and incidentals necessary for the securing of vacant and open buildings as directed on an emergency basis until July 31, 2010. Further, that the proper City officers be authorized to execute a contract for said project. The contract may continue from August 1, 2010 to July 31, 2011 on an as needed basis.

Adopted 7/2/2010.

Absent - Lilligren, Colvin Roy.

#### The TRANSPORTATION & PUBLIC WORKS Committee submitted the following reports:

**T&PW** - Your Committee recommends that the proper City officers be authorized to enter into and sign a purchase agreement, and other related documents as required, with Wheeling - Pittsburg Steel Corporation to acquire the site located at 340 27th Ave NE to be used for the Minneapolis-Hennepin County Environmental Center.

Your Committee further recommends that the proper City officers be authorized to make payment to the designated parties for the negotiated purchase price and any closing fees or other costs related to the acquisition as deemed reasonable by the City Engineer and Director of Property Services, and as supported by an independent appraisal validated by the CPED City Appraiser. The fair market value of \$1,820,000 established by the appraisal is within the project budget (Solid Waste Recycling 07700-6640600-803004-664AQLND).

Adopted 7/2/2010.

Absent - Lilligren, Colvin Roy.

**T&PW** - Your Committee recommends the following appointments to the Pedestrian Advisory Committee for two-year terms beginning July 1, 2010:

- a) Neal Baxter (Ward 8);
- b) John Garland (Ward 3);
- c) Matti Gurney (Ward 1);
- d) Dan Herber (Ward 8);

- e) Silvia Magana (Ward 12); and
- f) Kelly Wilder (Ward 9)

Adopted 7/2/2010.

Absent - Lilligren, Colvin Roy.

- **T&PW** Your Committee recommends the following appointments to the Transportation Management Organization (TMO) Executive Committee for terms expiring December 31, 2010:
- a) Mike Wichterman, Property Manager for US Bank, to replace Rollie Glessing representing the banking sector; and
  - b) Lee Davis, Target Corporation, to replace David Luick representing the retail sector. Adopted 7/2/2010.

Absent - Lilligren, Colvin Roy.

**T&PW** - Your Committee recommends passage of the accompanying resolution honoring Teresa Wernecke for her service to the City of Minneapolis during her career as Executive Director of the Transportation Management Organization.

Adopted 7/2/2010.

Absent - Lilligren, Colvin Roy.

Resolution 2010R-326, honoring Teresa Wernecke for her service to the City of Minneapolis during her career with the Downtown Minneapolis Transportation Management Organization (TMO), was adopted 7/2/2010 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

#### RESOLUTION 2010R-326

By Reich, Gordon, Hofstede, Johnson, Samuels, Lilligren, Goodman, Glidden, Schiff, Tuthill, Quincy, Colvin Roy and Hodges

Honoring Teresa Wernecke for her service to the City of Minneapolis during her career with the Downtown Minneapolis Transportation Management Organization (TMO).

Whereas, Teresa Wernecke started with the TMO in September 1992 as the first full-time Executive Director; and

Whereas, Teresa Wernecke devoted 18 years to fulfilling the mission of the TMO to advocate for and promote a sustainable transit and transportation system that supports a vital and growing downtown Minneapolis; and

Whereas, Teresa Wernecke led TMO efforts to keep downtown workers moving efficiently and effectively through two bus strikes in 1995 and 2004, the 35W bridge collapse in 2007, and the Republican National Convention in 2008; and

Whereas, Teresa Wernecke fostered an environment of support and empowerment, such that TMO staff were able to obtain a high level of success and receive recognition for their efforts, including securing the 2002 Governor's Award for Excellence in Waste and Pollution Prevention and the designation of downtown Minneapolis as a "Best Workplaces for Commuters District" by the US Environmental Protection Agency and Department of Transportation in 2005; and

Whereas, Teresa Wernecke creatively secured a number of fee-for-service contracts, which provided key local-match dollars to complement federal Congestion Mitigation and Air Quality grants, maximizing the federal dollars available to support the TMO and its mission; and

Whereas, Teresa Wernecke represented the interests of the TMO, the City of Minneapolis, and the downtown business community with passionate grace and charm;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That Teresa Wernecke be recognized and commended for the service and leadership she has provided to the City of Minneapolis.

Be It Further Resolved that the residents of the City of Minneapolis wish Teresa Wernecke and her family all the peace, happiness, and prosperity the world can offer as she ends her exemplary career with the Downtown Minneapolis Transportation Management Organization.

Adopted 7/2/2010.

Absent - Lilligren, Colvin Roy.

# The TRANSPORTATION & PUBLIC WORKS and WAYS & MEANS/BUDGET Committees submitted the following reports:

**T&PW & W&M/Budget** - Your Committee, having under consideration the Broadway St NE Street Resurfacing Project (Stinson Blvd to Industrial Blvd), Special Improvement of Existing Street No 5197, and having held a public hearing thereon, now recommends passage of the accompanying resolutions:

- a) Ordering the work to proceed and adopting the special assessments for the project; and
- b) Requesting the Board of Estimate and Taxation to issue and sell City of Minneapolis bonds for the purpose of paying the assessed cost of street improvements in the project.

Adopted 7/2/2010.

Absent - Lilligren, Colvin Roy.

Resolution 2010R-327, ordering the work to proceed and adopting the special assessments for the Broadway St NE Street Resurfacing Project No 5197 (Stinson Blvd to Industrial Blvd), was adopted 7/2/2010 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

#### RESOLUTION 2010R-327 By Colvin Roy and Hodges

# 2010 STREET RESURFACING PROGRAM BROADWAY ST NE (STINSON BLVD TO INDUSTRIAL BLVD) STREET RESURFACING PROJECT SPECIAL IMPROVEMENT OF EXISTING STREET NO 5197

Ordering the work to proceed and adopting the special assessments for the Broadway St NE Street Resurfacing Project.

Whereas, a public hearing was held on June 22, 2010 in accordance with Chapter 10, Section 8 of the Minneapolis City Charter and Section 24.180 of the Minneapolis Code of Ordinances to consider the proposed improvements as designated in Resolution 2010R-269, passed May 28, 2010 to consider the proposed special assessments as on file in the office of the City Clerk and to consider all written and oral objections and statements regarding the proposed improvements and the proposed special assessments;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the City Engineer is hereby ordered to proceed and do the work as designated in said Resolution 2010R-269, passed May 28, 2010.

Be It Further Resolved that the proposed special assessments in the total amount of \$505,344.61 for the Broadway St NE Street Resurfacing Project (Stinson Blvd to Industrial Blvd) as on file in the office of the City Clerk, be and hereby are adopted and assessed against the benefited properties.

Be It Further Resolved that the number of successive equal annual principal installments by which the special assessments of more than \$150 may be paid shall be fixed at five (5) and that the interest be charged at the same rate as the City pays in interest for selling assessment bonds, with collection of the special assessments to begin on the 2011 real estate tax statements.

Be It Further Resolved that the number of installments by which the special assessments of \$150 or less may be paid shall be fixed at one (1) and that interest be charged at the same rate as the City pays in interest for selling assessment bonds, with collection of the special assessments to begin on the 2011 real estate tax statements.

Adopted 7/2/2010.

Absent - Lilligren, Colvin Roy.

Resolution 2010R-328, requesting the Board of Estimate and Taxation to issue and sell City of Minneapolis bonds in the amount of \$505,340 for the purpose of paying the assessed cost of street improvements in the Broadway St NE Street Resurfacing Project No 5197 (Stinson Blvd to Industrial Blvd), was adopted 7/2/2010 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

# RESOLUTION 2010R-328 By Colvin Roy and Hodges

Requesting the Board of Estimate and Taxation to issue and sell City of Minneapolis bonds in the amount of \$505,340 for certain purposes other than the purchase of public utilities.

Resolved by The City Council of The City of Minneapolis:

That the Board of Estimate and Taxation be requested to incur indebtedness and issue and sell City of Minneapolis bonds for the purpose of paying the assessed cost of street improvements in the Broadway St NE Street Resurfacing Project (Stinson Blvd to Industrial Blvd), Special Improvement of Existing Street No 5197, to be assessed against benefited properties as estimated by the City Council, which assessments shall be collectible in five (5) successive annual installments payable in the same manner as real estate taxes.

Adopted 7/2/2010.

Absent - Lilligren, Colvin Roy.

**T&PW & W&M/Budget** - Your Committee, having under consideration five separate lease agreements with the State of Minnesota, acting on behalf of the Minnesota Pollution Control Agency (MPCA), for the use of City-owned sites to house ambient air quality monitoring equipment at the following locations:

- a) 4646 Humboldt Ave N (Humboldt Fire Station);
- b) 19th St and Central Ave (Precinct 2 Police Station);
- c) 309 2nd Ave S (City of Lakes Building);
- d) 2000 E Franklin Ave (Fire Station No 7); and
- e) 3101 Nicollet Ave S (Precinct 5 Police Station);

now recommends that the proper City officers be authorized to execute a multi-location lease agreement consolidating the five separate leases into one lease agreement with the MPCA.

Adopted 7/2/2010.

Absent - Lilligren, Colvin Roy.

**T&PW & W&M/Budget** - Your Committee, having under consideration the Cedar Lake Trail Project, Phase III, from Royalston Ave to W River Pkwy, now recommends:

- a) Passage of the accompanying resolution approving the execution of the final settlement agreement for easements with Duddy, LLLP; and
- b) Passage of the accompanying resolution authorizing the acquisition of easements for trail purposes and authorizing the use of eminent domain proceeding.

Adopted 7/2/2010.

Resolution 2010R-329, approving Stipulation of Final Settlement for Cedar Lake Trail Project - Phase III, was adopted 7/2/2010 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

# RESOLUTION 2010R-329 By Colvin Roy and Hodges

#### Approving Stipulation of Final Settlement for Cedar Lake Trail - Phase III.

Whereas, the City of Minneapolis (the "City") completed Phase I and Phase II of the Cedar Lake Trail between the West City limits and Royalston Ave in 1995; and

Whereas, extension of the Cedar Lake Trail from Royalston Ave to the Mississippi River ("Cedar Lake Trail Phase III a/k/a Cedar Lake Bike Trail Phase III") is a high priority for the City of Minneapolis ("City") and its residents; and

Whereas, Duddy, LLLP ("Duddy") owns property lying between Royalston Ave and West River Parkway which the City desires to cross with the Cedar Lake Trail - Phase III, and which is legally described in Exhibit A ("Duddy Property"), as set forth in Petn No 274362 on file in the office of the City Clerk; and

Whereas, pursuant to previous City Council resolution, the City commenced eminent domain proceedings to acquire permanent and temporary easements over the Duddy Property; and

Whereas, the easements acquired by the City over the Duddy Property are also described in Exhibit A ("Easements"); and

Whereas, the City and Duddy entered into a Stipulation of Partial Settlement (Petn No 274362) under which the City obtained the desired Easements, in return for the City's deposit with the District Court Administrator of \$1,128,650, the City's approved appraisal of damages for the Easements, which agreement was approved by the City Council, but did not resolve the total amount of compensation to be paid for the Easements; and

Whereas, the City staff and counsel retained by the City have negotiated a proposed Stipulation of Final Settlement which, if approved, will resolve the amount of total compensation to be paid by the City for the Easements and all other issues relating to the City's acquisition of the Easements; and

Whereas, under the Stipulation of Final Settlement, the City will pay Duddy a total of \$463,000 for the Easements, in addition to amounts previously paid, which will satisfy all claims of Duddy in the eminent domain proceeding or otherwise in relation to the City's acquisition of the Easements; and

Whereas, pursuant to a Memorandum of Agreement between the City and the Hennepin County Regional Railroad Authority (HCRRA), HCRRA will be contributing toward payment of the \$463,000 settlement amount in consideration for the City acquiring a permanent transportation easement over the Duddy Property in said eminent domain proceeding rather than a permanent trail easement;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That upon approval of the proposed Stipulation of Final Settlement by the City Attorney and execution and delivery of that agreement on behalf of Duddy, the City Contracting Officer is authorized to execute the agreement on behalf of the City and to pay Duddy, LLLP \$463,000, which is the additional compensation agreed to in the Stipulation of Final Settlement, and the Director of Public Works is directed to seek contribution from HCRRA of such amounts in relation to acquisition of the Easements encumbering the Duddy Property as are consistent with the Memorandum of Agreement.

Adopted 7/2/2010.

Absent - Lilligren, Colvin Roy.

Resolution 2010R-330, approving acquisition of easements for trail purposes and authorizing use of eminent domain proceeding for the Cedar Lake Trail Project - Phase III, was adopted 7/2/2010 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

# RESOLUTION 2010R-330 By Colvin Roy and Hodges

Approving acquisition of easements for trail purposes and authorizing use of eminent domain proceeding.

Whereas, the City of Minneapolis (the "City") completed Phase I and Phase II of the Cedar Lake Trail between the West City limits and Royalston Ave in 1995; and

Whereas, extension of the Cedar Lake Trail from Royalston Ave to the Mississippi River ("Cedar Lake Trail Phase III a/k/a Cedar Lake Bike Trail Phase III") is a high priority for the City of Minneapolis ("City") and its residents; and

Whereas, in a Council action on December 17, 1999, the City Council authorized the City to enter into two easements for the Cedar Lake Bike Trail Phase III; and

Whereas, in a Council action on March 2, 2001, the City Council authorized the Director of Public Works to develop a temporary bike route plan for Cedar Lake Trail Phase III due to construction delays caused by other projects in the area; and

Whereas, in 2001, the City Council adopted Resolution 2001R-147, amending the 2001 Capital Improvement Appropriation Resolution, which included an increase to the budget for the Cedar Lake Bike Trail of \$300,000 with the revenue source being the settlement from the Federal Reserve Bank Project Tax Increment Financing District for the off-site public improvements; and

Whereas, in a Council action on August 24, 2001, the City Council authorized the proper City officers to apply for a series of federal funds (TEA-21) including \$2,160,000 for Cedar Lake Bike Trail Phase III; and

Whereas, in a Council action on September 28, 2001, the City Council authorized the expenditure of \$40,000 from the Commuter Bike Fund System (4100-943-9470-Project A7002990) for a temporary bike lanes alignment for the Cedar Lake Trail Phase III; and

Whereas, in 2004, the City Council adopted Resolution 2004R-580, approving the 2005-2009 Five Year Capital Budget, which included an appropriation of \$2,160,000 for the Cedar Lake Trail Phase III Project with the revenue source being the Federal Government; and

Whereas, in 2005, the City Council adopted Resolution 2005R-075, supporting the completion of the Cedar Lake Bike Trail to the Mississippi River; and

Whereas, in 2005, the City Council adopted Resolution 2005R-661, requesting the issuance and sale of bonds including the Cedar Lake Bike Phase III Project; and

Whereas, in 2005, the City Council adopted Resolution 2005R-658, 2006-2010 Five Year Capital Budget which included an appropriation of \$583,000 for the Cedar Lake Bike Phase III Project, with the revenue source being Net Debt Bonds; and

Whereas, on November 17, 2006, the City Council authorized execution of Metropolitan Council Grant Agreement No SG-2006-145 in the amount of \$1,800,000 for the Cedar Lake Trail Phase III Project; and

Whereas, in 2006, the City Council adopted Resolution 2006R-584, appropriation increase to PW-Fund (0600-943-9480) by \$1,800,000 and increasing the revenue source (0600-943-9480-3215) by \$1,800,000; and increasing the appropriation in PW-Fund (4100-943-9470-BIKOI) by \$1,800,000 and increasing the revenue source (4100-943-9470-3215) by \$1,800,000; and

Whereas, in a Council action on December 22, 2006, the City authorized the proper City officers to enter into negotiations with abutting owners for the acquisition of trail easements; and

Whereas, on March 9, 2007, the City Council authorized the acquisition by negotiation or condemnation of permanent and temporary trail easements for completion of the Cedar Lake Trail-Phase III Project; and

Whereas, in a resolution adopted on May 22, 2009, the City Council found that a permanent easement for trail and other transportation purposes over Parcel 21 described in Exhibit A to that Resolution ("Parcel 21") was needed for the Cedar Lake Trail Phase III Project, and authorized

acquisition of said easement for construction, operation, repair, maintenance, and reconstruction of the Cedar Lake Trail over Parcel 21, including by use of eminent domain proceedings, if necessary; and Whereas, the City filed eminent domain proceedings to acquire said permanent easement over Parcel 21 on May 28, 2009; and

Whereas, the Hennepin County District Court filed its Findings of Fact, Conclusions of Law and Order Approving Petition and Appointing Commissioners with respect to Parcel 21 on July 17, 2009, and its Findings of Fact, Conclusions of Law and Order Transferring Title and Possession with respect to Parcel 21 on July 17, 2009; and

Whereas, it is necessary for the City to commence construction of the Cedar Lake Trail Phase III in 2010 in order to meet state and federal funding deadlines and its obligations under an agreement with the Minnesota Department of Transportation, the Northstar Corridor Development Authority and the Metropolitan Council; and

Whereas, as of January 2010, the City Public Works Department had believed all the right-of-way acquisition process for the Cedar Lake Trail Phase III Project had been concluded, subject to completion of pending eminent domain proceedings; and

Whereas, the construction of the Cedar Lake Trail Phase III Project is scheduled to begin on or about July 12, 2010; and

Whereas, the Director of Public Works has recommended that the City acquire a larger permanent easement, two temporary easements, and a permanent slope easement over Parcel 21, as described in Seventh Amended Exhibit A (collectively "Additional Easements") set forth in Petn No 274362, to facilitate construction of the Cedar Lake Trail Phase III Project and has requested that counsel representing the City in the pending eminent domain proceedings be authorized and directed to amend said eminent domain proceedings to acquire the additional easements; and

Whereas, the City Council finds that it is necessary, convenient, and for a public purpose that the City acquire the additional easements over Parcel 21, to facilitate construction, operation, repair, maintenance, and reconstruction of the Cedar Lake Trail Phase III Project;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That acquisition of such additional easements is hereby determined to be necessary and convenient and for a public purpose (completion of the Cedar Lake Trail Phase III Project).

Be It Further Resolved that the City Attorney and outside counsel retained by the City are hereby authorized and directed to amend the currently pending eminent domain proceedings to acquire the additional easements encumbering Parcel 21 and to use the quick take provisions of Minnesota Statutes § 117.042 to acquire title and possession of such additional easements prior to the filing of the Court Appointed Commissioners' report of damages caused by the taking.

Be It Further Resolved that with the assistance of the reports of independent real estate appraisers secured on behalf of the City, the Director of Public Works is hereby authorized to determine the amount of the City's offer of compensation to the owners of Parcel 21 for the additional easements and the approved appraisal of damages for such additional easements to be paid or deposited by the City pursuant to Minnesota Statutes § 117.042.

Adopted 7/2/2010.

Absent - Lilligren, Colvin Roy.

**T&PW & W&M/Budget** - Your Committee, having under consideration the St. Anthony Pkwy Bridge over the Burlington Northern Santa Fe (BNSF) Northtown Rail Yard, now recommends:

- a) Passage of the accompanying resolution authorizing the proper City officers to execute State Grant Agreement No SG-2009-072) between the City of Minneapolis and the Metropolitan Council, in the amount of \$600,000, for pre-design, design, and land acquisition for the St. Anthony Pkwy Bridge, pending satisfactory review by the proper City officers;
- b) Passage of the accompanying resolution authorizing the acceptance of the grant funds and increasing the appropriation in the 2010 Capital Budget in the State Grants Fund by \$600,000 following the execution of the Grant Agreement;
- c) Passage of the accompanying resolution increasing the appropriation and revenue for the project by \$600,000; and

d) That the proper City officers be authorized to negotiate with property owners for the acquisition of right-of-way and temporary construction easements for the St. Anthony Pkwy/Northtown Bridge Project.

Adopted 7/2/2010.

Absent - Lilligren, Colvin Roy.

Resolution 2010R-331, authorizing the execution of a State Grant Agreement between the City of Minneapolis and the Metropolitan Council, was adopted 7/2/2010 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

#### RESOLUTION 2010R-331 By Colvin Roy and Hodges

Authorizing the execution of a State Grant Agreement No SG-2009-072 between the City of Minneapolis and the Metropolitan Council.

Whereas, the City of Minneapolis has been working to program the St. Anthony Parkway Bridge over the Burlington Santa Fe Railway Co (BNSF) Northtown Rail Yard since the late 1980's; and

Whereas, the bridge provides a critical link to the Grand Rounds - National Scenic Byway; and Whereas, the bridge is structurally deficient, has a sufficiency rating of 11.3, is fracture critical, and is posted for Vehicle Load and Vertical Clearance Restrictions; and

Whereas, along with improvements to its structural deficiencies, the Bridge project will provide enhanced bicycle and pedestrian facilities; and

Whereas, in 2009 the City sought and received a grant from the State of Minnesota Legislature in the amount of \$600,000 to assist with the acquisition of land, pre-design, and design of the bridge project; and

Whereas, the State grant will be administered through the Metropolitan Council; and

Whereas, the City must enter into a Grant Agreement in order to receive the State grant;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That, after satisfactory review, the proper City officers be authorized to execute State Grant Agreement No SG-2009-072.

Adopted 7/2/2010.

Absent - Lilligren, Colvin Roy.

#### RESOLUTION 2010R-332 By Colvin Roy and Hodges

#### Amending The 2010 Capital Improvement Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended upon execution of Grant Agreement No SG-2009-072 by accepting the grant funds and increasing the appropriation for the PW-Transportation Capital Agency in State Grants Fund (01600-901-0938 - Source 3215) by \$600,000 to reimburse the St. Anthony Parkway/Northtown Bridge Project.

Adopted 7/2/2010.

Absent - Lilligren, Colvin Roy.

# RESOLUTION 2010R-333 By Colvin Roy and Hodges

Amending The 2010 Capital Improvement Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the PW-Capital Improvement Program Fund (4100-901-0938-BR110) by \$600,000 and increasing the revenue source (4100-901-0938 - Source 3215) by \$600,000.

Adopted 7/2/2010.

Absent - Lilligren, Colvin Roy.

**T&PW & W&M/Budget** - Your Committee, to whom was referred back on June 18, 2010 a report relating to Biennial Routine Maintenance Agreement No 94689 between the State of Minnesota Department of Transportation and the City of Minneapolis, effective July 1, 2009 through June 30, 2011, to provide routine maintenance by the City of state trunk highways within the City limits as defined in said agreement, now recommends passage of the accompanying resolution authorizing the proper City officers to execute said agreement.

Your Committee further recommends that staff be directed as follows:

- a) To identify statutory provisions that may preempt city ordinances;
- b) To provide a map identifying Mn/DOT right-of-way within the City, along with a summary of who will provide which services in the right-of-way; and
- c) To provide an outline of Mn/DOT's maintenance plan and how they anticipate responding to requests that are outside their normal planned activities.

Adopted 7/2/2010.

Absent - Lilligren, Colvin Roy.

Resolution 2010R-334, authorizing the proper City officers to enter into a Routine Maintenance Agreement with the Minnesota Department of Transportation (Mn/DOT), was adopted 7/2/2010 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

## RESOLUTION 2010R-334 By Colvin Roy and Hodges

Authorizing the proper City officers to enter into a Routine Maintenance Agreement with the Minnesota Department of Transportation (Mn/DOT).

Resolved by The City Council of The City of Minneapolis:

That the proper City officers be authorized to enter into Mn/DOT Agreement No 94689 with the State of Minnesota Department of Transportation to provide routine maintenance by the City on state trunk highways, bridges, and the Hiawatha tunnel, as defined in said agreement.

Be It Further Resolved that the Director of Public Works/City Engineer and the Finance Officer are authorized to execute the agreement.

Adopted 7/2/2010.

Absent - Lilligren, Colvin Roy.

**T&PW & W&M/Budget** - Your Committee, having under consideration the long-term streetcar network as defined in the Minneapolis Streetcar Feasibility Study Final Report, now recommends that the proper City officers be authorized to submit an application for federal Alternatives Analysis Program funding and/or TIGER II planning grant funding to conduct an alternatives analysis for an initial streetcar line within the Nicollet Avenue and Central Avenue corridors.

Adopted 7/2/2010.

Absent - Lilligren, Colvin Roy.

**T&PW & W&M/Budget** - Your Committee recommends that the proper City officers be authorized to expend \$48,000 from the Capital Improvements Fund (04100-600100-507007) for 2010 City of

Minneapolis participation in the Minneapolis-Duluth/Superior Passenger Rail Alliance Board for the development of the Northern Lights Express.

Adopted 7/2/2010.

Absent - Lilligren, Colvin Roy.

**T&PW & W&M/Budget** - Your Committee recommends acceptance of the low responsive bid submitted to the Public Works Department on OP No 7279 from Rice Lake Construction Group, in the amount of \$676,600, to furnish and deliver all labor, materials, equipment, and incidentals necessary to complete the construction of the hydraulic surge facility at Pump Station No 4.

Your Committee further recommends that the proper City officers be authorized and directed to execute a contract for said service, all in accordance with City specifications and contingent upon approval of the Civil Rights Department.

Adopted 7/2/2010.

Absent - Lilligren, Colvin Roy.

#### The WAYS & MEANS/BUDGET Committee submitted the following reports:

**W&M/Budget** - Your Committee recommends passage of the accompanying resolution authorizing the settlement of legal matters, as recommended by the City Attorney.

Adopted 7/2/2010.

Absent - Lilligren, Colvin Roy.

Resolution 2010R-335, authorizing settlement of *Mabruka Abdullahi; and Anthony James Ricci,* was adopted 7/2/2010 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

#### RESOLUTION 2010R-335 By Hodges

#### Authorizing legal settlements.

Resolved by The City Council of The City of Minneapolis:

That the City Attorney is authorized to proceed with the settlement of:

- a) Mabruka Abdullahi v. City of Minneapolis, by payment of \$13,736.90 to Yost & Bail, from the Internal Service Self Insurance Fund (06900-1500100-145685); and authorize the City Attorney's Office to execute any documents necessary to effectuate the settlements; and
- b) Anthony James Ricci v. Minneapolis Police Department, by approving payment of the judgment in the case in the amount of \$21,500, payable to Anthony Ricci and his attorney, Josh Cooner, plus any interest accrued from June 28, 2010, through the date of the issuance of the check. In addition, pursuant to the Order, \$5,450 must be paid into the general fund of the City.

Adopted 7/2/2010.

Absent - Lilligren, Colvin Roy.

**W&M/Budget** - Your Committee recommends that the City Attorney's Office be authorized to amend the current Master Legal Services Agreement (C-27566) to increase the amount by an additional \$300,000 for legal services between the City of Minneapolis and Lockridge, Grindal, Nauen, P.L.L.P., so that the total compensation payable under said agreement not exceed \$600,000 for the term of the agreement.

Adopted 7/2/2010.

**W&M/Budget -** Your Committee recommends approval of the following eight charitable campaign federations to participate in the 2010 City of Minneapolis Charitable Campaign:

- a) Community Solutions Fund;
- b) Community Health Charities;
- c) Hennepin History Museum;
- d) Open Your Heart to the Hungry and Homeless;
- e) United Negro College Fund;
- f) United Arts;
- g) Minnesota Environmental Fund; and
- h) United Way of Minneapolis Area.

Adopted 7/2/2010.

Absent - Lilligren, Colvin Roy.

**W&M/Budget** - Your Committee recommends that the proper City officers be authorized to increase the current contract (C-27491) by \$45,000, with Lund Martin Construction for labor, materials, equipment and incidentals necessary to complete the Grease Interceptor Replacement Project for the Minneapolis Convention Center. No additional appropriation required.

Adopted 7/2/2010.

Absent - Lilligren, Colvin Roy.

**W&M/Budget** - Your Committee, having under consideration the City of Minneapolis Employees' Metropass Program, now recommends the following:

- a) Authorize the proper City officers to amend and restate effective August 1, 2010, the existing contract with the Metropolitan Council to provide Metropasses to eligible employees. Under the amended and restated contract, the monthly program price will be based on the current cost of a Metropass times the actual number of participants; and
- b) Receive and file a decision by the City's Director of Human Resources, in collaboration with human resources and finance staff members, to implement a \$5 per month increase in pre-tax contributions for Metropass program participants. The new contribution amount of \$65 per month (\$55 for MPEA-represented employees) will be reflected in employee's paychecks dates July 16, 2010. The new contribution amounts reflect a discount from the monthly Metropass cost of \$76 per month.

Adopted 7/2/2010.

Absent - Lilligren, Colvin Roy.

**W&M/Budget** - Your Committee recommends passage of the accompanying resolution approving Laws of Minnesota 2009 Legislative Session, Chapter 88, Article 4, Section 12 authorizing the City of Minneapolis to use the excess local sales tax revenue collected in 2009 and 2010 to support the Minneapolis Convention Center.

Adopted 7/2/2010.

Absent - Lilligren, Colvin Roy.

Resolution 2010R-336, approving Laws of Minnesota 2009 Legislative Session, Chapter 88, Article 4, Section 12, was adopted 7/2/2010 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

#### RESOLUTION 2010R-336 By Hodges

Approving Laws of Minnesota 2009 Legislative Session, Chapter 88, Article 4, Section 12.

Whereas the Minnesota State Legislature has passed a law authorizing the City of Minneapolis to use the excess local sales tax revenue collected in 2009 and 2010 to support the Minneapolis Convention Center to fund any city services; and

Whereas this authority is only allowable to the extent that revenues from the tax exceed the amount needed to fund the operation of the Minneapolis Convention Center, as described in Laws of Minnesota 1986, Chapter 396, Article 1, Section 4, Subdivision 3; and

Whereas the total amount used in both years for this purpose may not exceed the total amount of aid and credit reductions under Minnesota Statutes, sections 273.1384 and 477A.011 to 477A.014 in calendar years 2008, 2009, and 2010 due to a governor's unallotment or due to statutory reductions; and

Whereas, beginning with local sales tax revenues collected in calendar year 2011, revenue that exceeds those needed to support the Minneapolis Convention Center may be used by the City of Minneapolis to fund capital projects to further residential, cultural, commercial, and economic development in both downtown Minneapolis and the Minneapolis neighborhoods;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That said law be now approved, and the City Clerk be directed to prepare and file with the Secretary of State the required certification of approval.

Adopted 7/2/2010.

Absent - Lilligren, Colvin Roy.

#### The ZONING & PLANNING Committee submitted the following reports:

**Z&P**-Your Committee, having under consideration the appeal filed by Tony Smith, on behalf of Land Ho, LLC, from the decision of the Planning Commission denying applications for: a) a variance to allow a single story building in the I1 and the West Broadway Pedestrian Oriented Overlay District; b) a variance to allow a building with a floor area ratio that is less than 1.0; and c) site plan review, all to allow for a new multi-tenant commercial building at 217-229 West Broadway, now recommends that said appeal be denied, and that the related findings prepared by the Community Planning & Economic Development staff be adopted.

Adopted 7/2/2010.

Absent - Lilligren, Colvin Roy.

**Z&P** - Your Committee, having under consideration the appeal filed by Dennis Oeltjen, JNS Builders, on behalf of Keith Covart, from the decision of the Heritage Preservation Commission, notwithstanding the recommendation of staff, placing conditions on the approval of an After-the-Fact application for Certificate of Appropriateness to replace siding at 2026 4th Ave S, now recommends that the appeal be granted, and that the Certificate be approved without conditions.

Adopted 7/2/2010. Yeas, 10; Nays, 1 as follows:

Yeas - Hofstede, Schiff, Tuthill, Quincy, Glidden, Goodman, Hodges, Samuels, Gordon, Johnson. Navs - Reich.

Absent - Lilligren, Colvin Roy.

#### **MOTION**

Hodges moved that the regular payrolls for all City employees under City Council jurisdiction for the month of August, 2010, be approved and ordered paid subject to audit by the Finance Officer. Seconded.

Adopted 7/2/2010.

Absent - Lilligren, Colvin Roy.

#### **RESOLUTIONS**

Resolution 2010R-337, honoring the 40th anniversary of Canada's Consulate General in Minneapolis, was adopted 7/2/2010 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

#### RESOLUTION 2010R-337

By Johnson, Reich, Gordon, Hofstede, Samuels, Lilligren, Goodman, Glidden, Schiff, Tuthill, Quincy, Colvin Roy and Hodges

#### Honoring the 40th anniversary of Canada's Consulate General in Minneapolis.

Whereas, Canada and the United States enjoy a unique economic partnership, sharing the world's largest and most comprehensive trading relationship; and

Whereas, Canada is the United States' and Minnesota's top export market; and

Whereas, 157,200 Minnesota jobs are dependent on trade with Canada; and

Whereas, thousands of jobs are held by Minneapolis residents who work for Canadian businesses located in the Minneapolis area such as RBC Wealth Management, Thomson Reuters Professional Services and Canadian Pacific Railways; and

Whereas, Canadians contribute greatly to the life of the Minneapolis community, including British Columbia native Justin Morneau of the Minnesota Twins; and

Whereas, Brookfield Renewable Power, headquartered in Toronto, Ontario, is constructing the Lower St. Anthony Falls hydroelectric project in Minneapolis; and

Whereas, Canada and Minnesota, including Minneapolis, enjoy a strong and growing energy trading relationship that encompasses the transportation fuels and clean hydroelectricity that power our economy; and

Whereas, in 2010 Canada's Consulate General in Minneapolis celebrates 40 years of promoting the Canada-United States relationship in the Upper Midwest;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the City welcomes Consul General Martin Loken and proclaims our appreciation for Canada's Consulate General in Minneapolis.

Be It Further Resolved that the City recognizes the economic and cultural contributions of Canada to Minneapolis.

Adopted 7/2/2010.

Absent - Lilligren, Colvin Roy.

Resolution 2010R-338, honoring the Life of Bill Hinkley, was adopted 7/2/2010 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

#### RESOLUTION 2010R-338

By Gordon, Reich, Hofstede, Johnson, Samuels, Lilligren, Goodman, Glidden, Schiff, Tuthill, Quincy, Colvin Roy and Hodges

#### Honoring the Life of Bill Hinkley.

Whereas, Bill Hinkley was an invaluable cultural asset of the State of Minnesota, the City of Minneapolis and the world; and

Whereas, for four decades Bill Hinkley personified the rich musical spirit and culture of the West Bank; and

Whereas, Bill Hinkley shared his talent and passion for music with thousands and thousands of people in the Twin Cities area; and

Whereas, Bill Hinkley and his longtime partner Judy Larson were the first musicians featured on A Prairie Home Companion in the opening days of that iconic Minnesota radio show; and

Whereas, Bill Hinkley was the longest tenured and most beloved teacher of fiddle and mandolin music in the history of West Bank School of Music, teaching generations of students to play a variety

of musical instruments and sharing his wealth of musical knowledge with students young and old without ever becoming pedantic; and

Whereas, Bill Hinkley always made time for young musicians, whether mentoring, encouraging, giving a tip or showing a chord, with patience, grace and charm; and

Whereas, Bill Hinkley exuded the joy of non-pretentious and soulful music making, and by example and direct communication encouraged the talents of others; and

Whereas, Bill Hinkley was a Founding Father of the annual Minneapolis Battle of the Jug Bands; and

Whereas, Bill Hinkley was respected by every musician he ever met, obscure or celebrated, regardless of the culture that musician came from or represented, for his command of the guitar, fiddle and mandolin; and

Whereas, Bill Hinkley cheerfully lived most of his life in a state of genteel poverty; and

Whereas, Bill Hinkley maintained an unshakeable patriotism though he was often troubled by his beloved country's leadership; and

Whereas, Bill Hinkley mastered the basic styles and repertoires of this country (Blues, Ragtime, Old Time, Jug Band, Bluegrass, Hot Jazz, Cool Jazz) as well as the styles and repertoires of many other countries; and

Whereas, Bill Hinkley was an outstanding example of living by the Golden Rule, prior to and apart from being a professional musician, who enjoyed his position within his community without ever once taking advantage of it; and

Whereas, Bill Hinkley passed away on Tuesday, May 25, 2010; and

Whereas, since the Facebook page "Friends of Bill Hinkley and Judy Larson" was created on May 21, more than 550 members have joined and hundreds of people have shared stories of how Bill touched their lives; and

Whereas, Bill Hinkley maintained a teacherly demeanor until the day of his death and even beyond it by donating his body to the U of M Medical School; and

Whereas, Bill's friends and family have organized a Memorial Celebration of the life of Bill Hinkley on Wednesday, July 7<sup>th</sup> at 5:00PM at the Nicollet Island Pavilion in Minneapolis;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the City of Minneapolis honors Bill Hinkley for a lifetime of sharing and teaching music in Minneapolis.

Adopted 7/2/2010.

Absent - Lilligren, Colvin Roy.

Resolution 2010R-339, honoring the Ancient Oak Tree in Riverside Park, was adopted 7/2/2010 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

#### RESOLUTION 2010R-339 By Gordon, Reich and Hodges

#### Honoring the Ancient Oak Tree in Riverside Park.

Whereas, the oldest known tree in the city of Minneapolis, located on the West Bank of the Mississippi River, about two blocks north of the Franklin Avenue Bridge along Franklin Terrace, has died and will soon be taken down; and

Whereas, this majestic burr oak's estimated year of germination is anywhere between 1241 and 1791, and its estimated age ranges between 219 to over 700 years old; and

Whereas, the ancient oak is widely recognized as the oldest tree in Minneapolis; and

Whereas, Theodore Wirth wrote, "Perhaps the oldest living thing in Minneapolis is the huge Northern Burr Oak that graces the West Bank of the Mississippi in Riverside Park"; and

Whereas, trees are central to the survival and well being of life on earth; and

Whereas, the City of Minneapolis is a Tree City and an annual participant in National Arbor Day; and

Whereas, a community gathering to honor the passing of this tree will be held on Sunday, July 11, 2010 at 7:00 PM near the tree in Riverside Park on Franklin Terrace;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the City of Minneapolis recognizes the passing of this ancient oak tree and the lasting contributions it has made to the present and past generations of people in this area.

Adopted 7/2/2010. Yeas, 10; Nays, 1 as follows:

Yeas - Hofstede, Schiff, Quincy, Glidden, Goodman, Hodges, Samuels, Gordon, Reich, Johnson. Nays - Tuthill.

Absent - Lilligren, Colvin Roy.

#### **UNFINISHED BUSINESS**

Pursuant to previous notice, Gordon moved to introduce the subject matter of an ordinance amending Title 11, Chapter 227 of the Minneapolis Code of Ordinances relating to *Health and Sanitation: Nuisances Generally*, for 1st reading and referral to the Regulatory, Energy & Environment Committee (amending Sections 227.90 and 227.100 to exempt native prairie or other purposeful plantings from the definition of offensive conditions and vegetation). Seconded.

Adopted upon a voice vote 7/2/2010.

Absent - Lilligren, Colvin Roy.

Pursuant to previous notice, Glidden moved to introduce the subject matter of an ordinance amending Title 3, Chapter 48.20 of the Minneapolis Code of Ordinances relating to *Air Pollution and Environmental Protection: Minneapolis Watershed Management Authority*, for 1st reading and referral to the Regulatory, Energy & Environment Committee (amending Section 48.20 to add provisions of Minnesota Rules Chapter 4720 to the ordinance). Seconded.

Adopted upon a voice vote 7/2/2010.

Absent - Lilligren, Colvin Roy.

Pursuant to previous notice, Gordon moved to introduce the subject matter of an ordinance amending Title 10, Chapter 186 of the Minneapolis Code of Ordinances relating to *Food Code: In General*, for 1st reading and referral to the Regulatory, Energy & Environment Committee (amending Section 186.50 to regulate institutional food service and define "institutional/congregate food service", "confectionery," "food manufacturer," and "restaurant"). Seconded.

Adopted upon a voice vote 7/2/2010.

Absent - Lilligren, Colvin Roy.

Pursuant to previous notice, Goodman, on behalf of Lilligren, moved to introduce the subject matter of an ordinance amending Title 14 of the Minneapolis Code of Ordinances relating to *Liquor and Beer*, for 1st reading and referral to the Regulatory, Energy & Environment Committee as follows:

Chapter 360 relating to *Liquor Licenses* (adding a new section 360.30 permitting and regulating off-premises liquor catering); &

Chapter 362 relating to *In General* (repealing section 362.38, State caterer's permit). Seconded. Adopted upon a voice vote 7/2/2010.

Absent - Lilligren, Colvin Roy.

#### **NEW BUSINESS**

Samuels gave notice of intent to introduce at the next regular meeting of the City Council the subject matter of an ordinance amending Title 18, Chapter 466 of the Minneapolis Code of Ordinances relating

to the *Traffic Code: In General* (amending section 466.30 to clarify the ordinance with regard to registered owners in light of the State Appeals Court decision).

Samuels gave notice of intent to introduce at the next regular meeting of the City Council the subject matter of an ordinance amending Title 18, Chapter 478 of the Minneapolis Code of Ordinances relating to the *Traffic Code: Parking, Stopping and Standing* (adding section 478.270 and amending 478.550 to clarify the ordinance with regard to registered owners in light of the State Appeals Court decision).

Glidden gave notice of intent to introduce at the next regular meeting of the City Council the subject matter of an ordinance amending Title 19, Chapter 509 of the Minneapolis Code of Ordinances relating to *Water*, *Sewers and Sewage Disposal: Water* (amending assessment penalty and interest rates for repair to water or sewer service lines).

Johnson moved to introduce the subject matter of an ordinance amending Title 22, Chapter 598 of the Minneapolis Code of Ordinances relating to *Land Subdivision: Land Subdivision Regulations*, for first reading and referral to the Committee of the Whole (amending the parkland dedication requirements). Seconded.

Adopted by unanimous consent 7/2/2010.

Absent - Lilligren, Colvin Roy.

Schiff moved to introduce the subject matter of an ordinance amending Title 14, Chapter 362 of the Minneapolis Code of Ordinances relating to *Liquor and Beer: Liquor Licenses*, for first reading and referral to the Regulatory, Energy & Environment Committee (amending provisions regulating off-sale malt liquor for licensed brewers). Seconded.

Adopted by unanimous consent 7/2/2010.

Absent - Lilligren, Colvin Roy.

Hofstede moved to adjourn to Monday, July 12, 2010, at 1:00 p.m. in the Council Chamber for the purpose of considering a proposed ordinance amending Chapter 2 of the City Charter relating to *Officers - Elections*, regarding Elections timelines as affected by state statute and house keeping corrections, and to conduct any other business deemed necessary at that time, and that such meeting be and is hereby declared to be an adjourned session of the regular meeting of July 2, 2010. Seconded.

Adopted upon a voice vote 7/2/2010.

Absent - Lilligren, Colvin Roy.

Tina Sanz, Assistant City Clerk.

Unofficial Posting: 7/6/2010 Official Posting: 7/9/2010 Corrections: 9/16/2010